REMARKS/ARGUMENTS

This Amendment is responsive to the Office Action mailed on October 24, 2006.

In this Amendment, claims 1-41 are canceled, and claims 42-72 are added so that claims 42-72 are pending. Support for new claims 42-72 can be found in the originally filed claims and also at pages 18-20 of the specification. No new matter is added.

Summary of Embodiments of the Invention

Current independent claim 42 recites a method including "generating a plurality of summary indicators for the plurality of individuals, wherein each summary indicator indicates different communication network types that each individual is capable of using, wherein for each communication network type, the summary indicator indicates whether or not the individual is present and available to communicate on the communication network type." Independent claim 62 recites a similar limitation.

In embodiments of the invention, summary indicators for various individuals may be generated and then displayed to a subscriber. The summary indicators can indicate whether or not certain individuals are present and available to the subscriber. As used herein, "presence" refers to the ability of an individual to access a particular communications network, while "availability" refers to an individual's willingness to be reached by one or more persons (see paragraphs [0013] and [0014] of the specification). FIG. 8 in the present application shows an example of a summary indicator. FIG. 8 shows a first summary indicator indicating that Corby is present and available on a phone network and an instant messaging network, a second summary indicating that Tom is present and available on a telephone network but not an instant messaging network, etc.

Ozzie et al.

Claims 1-25 are rejected as being anticipated by Ozzie et al. (U.S. Patent No. 6,640,241). Ozzie et al. is directed a method and apparatus for activity based collaboration (title). The "activity" might be playing a game of chess, chatting, or designing a car (FIG. 5, lines, 12, lines 62-65). A presence server is mentioned to detect whether or not a party to the potential activity is present or not (c. 5, l. 36). As shown in FIG. 3, different peer units may communicate with each other in an activity based collaboration. According to the Office Action, Ozzie et al. discloses "for each individual, generating a single summary indicator that identifies the individual and summarizes whether the individual is capable of receiving certain data content types (c. 5, l. lines 17-49)". This rejection is traversed.

Contrary to the Office Action, Ozzie et al. does not disclose summarizing whether an individual is capable of receiving certain data content types and then displaying that summary, and clearly does not teach or suggest, *inter alia*, the following limitation from independent claim 42.

> generating a plurality of summary indicators for the plurality of individuals, wherein each summary indicator indicates different communication network types that each individual is capable of using, wherein for each communication network type, the summary indicator indicates whether or not the individual is present and available to communicate on the communication network type

In the Office Action, the Examiner states that column 5, lines 17-49 of Ozzie et al. teaches the limitation "for each individual, generating a single summary indicator that identifies the individual and summarizes whether the individual is capable of receiving certain data content types." This passage from Ozzie et al. is recited below.

> Yet another aspect of the invention resides in the framework further including a communications manager operable on a local network capable device for sending locally-generated deltas to remote network-capable devices and for receiving remotely-generated deltas from the remote network-capable devices. The communications manager can selectively send the local deltas

> either directly to the remote network-capable devices, e.g., at their respective URLs, or to a "store and forward" relay, e.g., at its URL, in response to network connection status information regarding the remote network-capable device. The network connection status information can include connectability information maintained by the communications manager, including, e.g., information regarding communication protocol compatibility, security issues (e.g., firewalls) that may render the remote device unreachable by the local device. The connection status information can also include information maintained by a presence mechanism, such as a presence server, regarding the online/offline status of the remote device. The presence server can be part of the ABC system, and, e.g., responsible for sending the online/offline status information over the network to the communications manager. In situations where the remote network-capable device is temporarily not connected to the network ("offline"), the relay can store the deltas until notified that the remote network-capable device has reconnected to the network, and then send the deltas to the reconnected remote network-capable device. For receipt of deltas from the remote network-capable devices, the communications manager sends an online/offline status notification to the presence server indicating whether the local network-capable device is connected to the network ("online") and therefore capable of receipt of deltas from remote devices.

Neither this passage nor any other passage teaches or suggests the limitation "for each individual, generating a single summary indicator that identifies the individual and summarizes whether the individual is capable of receiving certain data content types", let alone the limitation "generating a plurality of summary indicators for the plurality of individuals, wherein each summary indicator indicates different communication network types that each individual is capable of using, wherein for each communication network type, the summary indicator indicates whether or not the individual is present and available to communicate on the communication network type." At best, column 5, lines 17-49, of Ozzie et al. discloses a presence server that sends online and offline status information to a communications manager and this information may be viewed by one or more remote devices. Ozzie et al. does not mention displaying summary indicators that indicate different types of data that individuals can receive or different communication network types that the user can use. If Ozzie et al. truly intends to conduct an

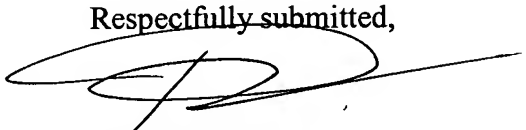
activity based collaboration using remote devices, the persons in the collaboration would use the same network, so there would be no reason to display indicators with different network types to a subscriber.

It also would not have been obvious for one to have modified Ozzie et al. to arrive at the inventions of the pending claims. Clearly, the activity participants in Ozzie et al. would have no need to display summary indicators indicating different communication network types that are associated with a plurality of individuals, since the participants are supposed to collaborate using one mode of communication. There is therefore no reason to modify Ozzie et al. to arrive at the present invention. Accordingly, Ozzie et al., alone or in combination with other references, fails to render the claims obvious.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Patrick R. Jewik
Reg. No. 40,456

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
PRJ:prj
60702998 v1